



City of Kenora
Planning Advisory Committee
60 Fourteenth St. N., 2nd Floor
Kenora, Ontario P9N 4M9
807-467-2059

MINUTES

**CITY OF KENORA PLANNING ADVISORY COMMITTEE and COMMITTEE OF ADJUSTMENT
REGULAR MEETING TO BE HELD IN THE PLANNING, BUILDING AND ENGINEERING BUILDING, 60
FOURTEENTH ST. N,
May 19, 2009 - 7:40 P.M.**

Present:

Art Mior	Chair
James Tkachyk	Member
Joyce Chevrier	Member
Colin Bird	Member
Terry Tresoor	Member
Vince Cianci	Member
Wayne Gauld	Member
Tara Rickaby	Assistant Secretary Treasurer
Jeff Port	Secretary-Treasurer

Regrets:

DELEGATION: None

PART A PUBLIC MEETINGS

I. APPLICATIONS:

7:00 P.M. Application for Consent B06/09 Kortchevich
Application for Consent B07/09 Gate
Application for Consent B09/09 Wickham (technical)
Application for Minor Variance A06/09 Bruce Krawicki
Application for Minor Variance A08/09 Hulagrocki
Application for Minor Variance A09/09 Gibbs

PART B – PLANNING ADVISORY COMMITTEE

I. CALL MEETING TO ORDER

Art Mior called the May 19, 2009 City of Kenora Planning Advisory Committee meeting, to order at 7:40 p.m.

CONFLICT OF INTEREST -

II. MINUTES:

April 21, 2009

Moved by: Terry Tresoor

Seconded by:

Joyce Chevrier

THAT the minutes of the Kenora Planning Advisory Committee meeting of April 21, 2009 be approved as amended.

2. Corrections to minutes - Reverse times of Vince Cianci leaving and returning to the meeting.

3. Business Arising - None

CARRIED

III. **APPLICATIONS:**

1. Application for Consent B06/09 Kortchevich

The Committee indicated that this is a straight-forward application with no planning issues, made in order to restore the lots into two separate lots.

Moved by: James Tkachyk

Seconded by: Wayne Gauld

That application for Consent No. B0 06/09 Kortchevich, for the creation of one new lot on property described 216 Third Street North PT LOT 138 PART 1 RP 23R2753 & S PT OF L 139 & N PT L 139 AS PART 4 RP 23R2753 PLAN 3 BLK 3 and 220 Third Street North PLAN 3 BLK 3 PT LOT 138 PT 3 5 RP 23R2753 PT LOT 139 AS PART 2 RP 23R2753 be approved with the following conditions:

- 1) The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for our records be provided.
- 2) A Schedule to the Transfer/Deed of Land form on which is set out the entire legal description of the parcel(s) in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided.
- 3) Three original copies (not photocopies) of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parcel(s) to which the consent approval relates and which must show in general the same area and dimensions as the sketch forming part of the application be provided.

If the conditions to consent approval are not fulfilled within one year of the date on this letter and the applicant is still interested in pursuing the proposal, a new application will be required.

CARRIED

2. Application for Consent B07/09 Gate

Discussion took place with respect to why the lots hadn't been tied, under the Land Titles Act, at the time of transfer/purchase. Access to Lot 8 was also discussed.

Moved by: Terry Tresoor

Seconded by: Colin Bird

That application for Consent No. B0 07/09 Gate, for the creation of one new lot for property described Lot 9, to the north, plus Parts 1,2,4 and 6 of 23R-9497 and to add Part 3 23R-9497 to Lot 8, and Part 5 23R-9497 to Lot 7 respectively be approved with the following conditions:

- 1) The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for our records be provided.
- 2) A Schedule to the Transfer/Deed of Land form on which is set out the entire legal description of the parcel(s) in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided.
- 3) Three original copies (not photocopies) of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parcel(s) to which the consent approval relates and which must show in general the same area and dimensions as the sketch forming part of the application be provided.
- 4) That Part 3 be attached to Lot 8, and Part 5 be attached to Lot 7, respectively, according to Section 118 of the Land Titles Act.

If the conditions to consent approval are not fulfilled within one year of the date on this letter and the applicant is still interested in pursuing the proposal, a new application will be required.

CARRIED

3. Application for Consent B09/09 Wickham

Committee discussed two lapsed applications and what property will be transferred as opposed to where easements are located.

Moved by: James Tkachyk

Seconded by: Joyce Chevrier

That application for Consent No. B0 09/09 Wickham, for the creation of one new lot on property described as CON 7J LOT 1 PT PCL 2049, be approved with the following conditions:

1. The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for our records be provided.
2. A Schedule to the Transfer/Deed of Land form on which is set out the entire legal description of the parcel(s) in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided.
3. Three original copies (not photocopies) of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parcel(s) to which the consent approval relates and which must show in general the same area and dimensions as the sketch forming part of the application be provided.
4. That Part 2 on Plan 23R – 10583 be transferred to the City of Kenora. All survey, legal and registration costs shall be borne by the applicant.
5. A letter be received from an OLS indicating all structures on the severed and retained lots are in compliance with zoning by-law 160-2004.

If the conditions to consent approval are not fulfilled within one year of the date on this letter and the applicant is still interested in pursuing the proposal, a new application will be required.

NOTE: "No assessment has been made for quality or quantity of groundwater. The waters of the Winnipeg River should not be used for human consumption unless they have been treated to the standards of the Ministry of the Environment or Ministry of Health before use."

CARRIED

Chairman Art Mior requested the indulgence of the Committee in adjourning this meeting in order to carry on business for the Committee of Adjustments.

IV. ADJOURN

Moved by: Terry Tresoor

THAT this portion of the May 19, 2009 meeting of the Kenora Planning Advisory Committee be adjourned at 8 p.m.

PART C - COMMITTEE OF ADJUSTMENT

I. CALL MEETING TO ORDER:

Art Mior called the May 19, 2009 regular meeting of the Kenora Committee of Adjustment to order at 8:01 p.m.

II. CONFLICT OF INTEREST – None

III. MINUTES:

a) April 21, 2009

Moved by: Joyce Chevrier

Seconded by: Terry Tresoor

THAT the minutes of the meeting of the Committee of Adjustment, April 21, 2009 be approved as distributed.

b) Corrections to minutes:

c) Business Arising:

CARRIED

IV. APPLICATIONS:

1. Application for Minor Variance A06/06 Bruce Krawicki

The Committee discussed concerns with reduction of all three parameters; drive aisle width, stall width and length and the impact it could have on drivers. The use, in the future, of the entire property was also discussed. Joyce Chevrier indicated that she did not support the application.

Moved by: James Tkachyk Seconded by: No seconder – Motion failed

THAT application for minor variance A06/09 Bruce Krawicki be approved to reduce the required parking stall size from 3 m by 6 metres to **2.89** m by 5.79 m. and a reduction in the width of the drive aisle from 7.5 m to 6.09. The reasons for the decision are that the grade separation on the lands lends to lot width and length reduction and the location of the house on the property reduces the stall width and length

Moved by: Joyce Chevrier Seconded by: No seconder – Motion failed.

THAT application for minor variance A06/09 Bruce Krawicki be refused.

Jeff Port reminded the Committee of their options when considering an application; approval, refusal, deferment for further information. The Committee discussed the possible precedent that could be set by approval of the application. A temporary solution was also discussed, however section 45 of the Planning Act does not facilitate a temporary solution. The grade and retaining wall are the reasons for request for the reduction in aisle width.

Moved by: James Tkachyk Seconded by: Wayne Gauld

THAT application for minor variance A06/09 Bruce Krawicki be approved to reduce the required parking stall size from 3 m by 6 metres to **2.89** m by 5.79 m. and a reduction in the width of the drive aisle from 7.5 m to 6.09. The reasons for the decision are that the grade separation on the lands lends to lot width and length reduction and the location of the house on the property reduces the stall width and length.

RECORDED VOTE:~

PAC	AYE	NAY	Dec. of Interest/ Not present at past meeting	ABSENT
Colin Bird	x			
Joyce Chevrier		x		
Vince Cianci	x			
Wayne Gauld	x			
James Tkachyk	x			
Terry Tresoor	x			
Art Mior, Chair	x			

CARRIED

2. Application for Minor Variance A08/09 Hulagrocki

Discussion took place with respect to Maple Street, functionally, being a back lane.

Moved by: Terry Tresoor Seconded by: Vince Cianci

THAT application for minor variance A08/09 Hulagrocki be approved to is to permit the construction of an accessory structure closer to the street (Maple Street) than the principle dwelling as the decision maintains the intent of the Zoning By-law, is minor in nature and is desirable and appropriate for the neighbourhood.

CARRIED

3. Application for Minor Variance A09/09 Gibbs

The Committee discussed the location of the septic field.

Moved by: James Tkachyk Seconded by: Colin Bird

THAT application for minor variance A09/09 Gibbs be approved to reduce the front (road) yard requirement from 15 metres to 12.192 metres for a variance of 2.808 metres, and to reduce the setback from 3 metres to 2.44 metres, for a variance of .56 metres as the decision maintains the intent of the Zoning By-law, is minor in nature and is desirable and appropriate for the neighbourhood.

CARRIED

V. **OLD BUSINESS:** None.

VII. **NEW BUSINESS:** None.

VIII. **ADJOURN**

Moved by: Terry Tresoor

THAT the May 19, 2009 meeting of the Committee of Adjustment be adjourned at 8:47 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 16th DAY OF June, 2009

CHAIR

SECRETARY-TREASURER

Re-open Planning Advisory Committee meeting at 8:48 p.m.

V. **OLD BUSINESS:** None

VI. **NEW BUSINESS:**

1. Questions re. Planning and Property Meeting
Joyce Chevrier asked why this Committee does not hear appeals for fence issues. Staff explained that the Fence By-law names Council as the appeal body.
Joyce Chevrier asked for a copy of the most current site plan for Norman Park. Jeff Port will provide it.
2. Provincial Policy Statement
Discussion took place with respect to providing comments with respect to the Northern Growth Plan, rather than the PPS; there should be PPS associated with the Northern Growth Plan.

Chairman Mior presented Colin Bird with a card and gift of appreciation from the Committee as this is his last meeting before his move to Alberta.

VII. **ADJOURN**

Moved by: Terry Tresoor

THAT the May 19, 2009 meeting of the Kenora Planning Advisory Committee be adjourned at 8:52 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 16th DAY OF JUNE, 2009

CHAIR

SECRETARY-TREASURER